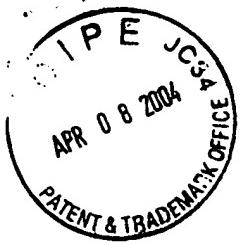


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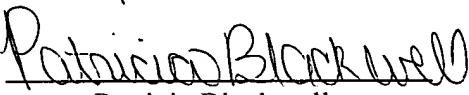
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Marcus FILSHIE et al.  
Serial No : 10/031,218  
Filed : January 15, 2002  
For : SURGICAL CLIP  
Examiner : Unknown  
Art Unit : 3761

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## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16th day of April, 2004.

  
Patricia Blackwell

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Commissioner for Patent  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

Information Cited

The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO/SB08A. The order of presentation of the references should not be construed as an indication of the importance of the references.

Explanation of Non-English Language References

An English language abstract for each of the non-English language references listed on the PTO/SB08A is attached.

Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO/SB/08A (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO/SB/08A be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

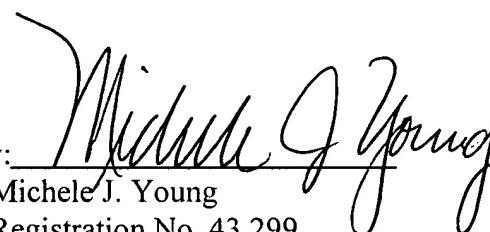
By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:   
Michele J. Young  
Registration No. 43,299  
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321 South Main Street  
Providence, RI 02903-7128  
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Dated: April 5, 2001

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**INFORMATION DISCLOSURE  
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Sheet

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of

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|                      |                       |
|----------------------|-----------------------|
| Application Number   | 10/031,218            |
| Filing Date          | January 15, 2002      |
| First Named Inventor | Marcus FILSHIE et al. |
| Group Art Unit       | 3761                  |
| Examiner Name        | Unknown               |

Attorney Docket Number 02597

**U. S. PATENT DOCUMENTS**

| Examiner Initials <sup>1</sup> | Cite No. <sup>1</sup> | U. S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------------------|-----------------------|-----------------------|-----------------------------------|---|--|---|
|                                |                       | Number                | Kind Code <sup>2</sup> (if known) |   |  |   |
| 1.                             | 3,270,745             |                       |                                   | Wood  | 09/06/1966                                       |   |
| 2.                             | 3,854,482             |                       |                                   | Laugherty et al.                                | 12/25/1974                                       |   |
| 3.                             | 3,926,195             |                       |                                   | Bleier et al.                                   | 12/25/1975                                       |   |
| 4.                             | 4,418,694             |                       |                                   | Beroff et al.                                   | 12/01/1983                                       |   |
| 5.                             | 4,424,810             |                       |                                   | Jewusiak  | 01/01/1984                                       |   |
| 6.                             | 4,489,725             |                       |                                   | Casey Donn et al.                               | 12/25/1984                                       |   |
| 7.                             | 4,702,247             |                       |                                   | Blake III et al.                                | 10/27/1987                                       |   |
| 8.                             | 4,822,348             |                       |                                   | Casey   | 04/01/1989                                       |   |
| 9.                             | 4,942,886             |                       |                                   | Timmons   | 07/01/1990                                       |   |
| 10.                            | 4,988,355             |                       |                                   | Leveen et al.                                   | 01/01/1991                                       |   |
| 11.                            | 5,002,552             |                       |                                   | Casey Donn                                      | 03/26/1991                                       |   |
| 12.                            | 5,171,250             |                       |                                   | Yoon  | 12/15/1992                                       |   |
| 13.                            | 5,219,353             |                       |                                   | Garvey, III et al.                              | 06/15/1993                                       |   |
| 14.                            | 5,282,812             |                       |                                   | Suarez, Jr.                                     | 01/01/1994                                       |   |
| 15.                            | 5,359,993             |                       |                                   | Slater et al.                                   | 11/01/1994                                       |   |
| 16.                            | 5,437,680             |                       |                                   | Yoon  | 8/1/1995   |   |
| 17.                            | 5,478,003             |                       |                                   | Green et al.                                    | 12/26/1995                                       |   |
| 18.                            | 5,507,297             |                       |                                   | Slater et al.                                   | 04/16/1996                                       |   |
| 19.                            | 5,695,505             |                       |                                   | Yoon  | 12/09/1997                                       |   |
| 20.                            | 5,849,019             |                       |                                   | Yoon Inbae                                      | 12/15/1998                                       |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials <sup>1</sup> | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------------------|-----------------------|-------------------------|---------------------|-----------------------------------|---|--|---|----------------|
|                                |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |   |  |   |                |
| 21.                            | GB 886356             | *                       |                     |                                   | Kariher et al.                                  | 01/03/1962                                       |   |                |
| 22.                            | GB 972 731            |                         |                     |                                   | Gerendas  | 10/14/1964                                       |   |                |
| 23.                            | DE 27 32 326          |                         |                     |                                   | Gebruder Sulzer AG                              | 01/11/1979                                       |   |                |
| 24.                            | EP 0 220 643          |                         |                     |                                   | U.S. Surgical Corp                              | 05/06/1987                                       |   |                |
| 25.                            | GB 2 243 789          |                         |                     |                                   | Femcare Limited                                 | 11/13/1991                                       |   |                |
| 26.                            | WO 95/13023           |                         |                     |                                   | Innovative Surg                                 | 05/18/1995                                       |   |                |
| 27.                            | GB 2,177,748          |                         |                     |                                   | Femcare Limited                                 | 01/28/1987                                       |   |                |
| 28.                            | GB 2,297,487          |                         |                     |                                   | Ezech Uchechukwu                                | 08/07/1996                                       |   |                |
| 29.                            | WO 0105309            |                         |                     |                                   | Femcare Limited                                 | 01/25/2001                                       |   |                |
| 30.                            | GB 1,530,282          |                         |                     |                                   | Filshie   | 10/25/1978                                       |   |                |

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><i>(use as many sheets as necessary)</i> |   | Application Number       | 10/031,218            |
|  |   | Filing Date              | January 15, 2002      |
|  |   | First Named Inventor     | Marcus FILSHIE et al. |
|  |   | Group Art Unit           | 3761                  |
|  |   | Examiner Name            | Unknown               |
| Sheet  | 2 | of                       | 3                     |
| Attorney Docket Number   |   |                          | 02597                 |



## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet

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**Complete if Known**

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| Application Number     | 10/031,218            |
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| First Named Inventor   | Marcus FILSHIE et al. |
| Group Art Unit         | 3761                  |
| Examiner Name          | Unknown               |
| Attorney Docket Number | 02507                 |

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

| Examiner Initials <sup>1</sup> | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
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|                                |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |   |  |   |                |
|                                | 33.                   | GB                      | 2,251,794           |                                   | Casey Medical Prod                              | 07/22/1992                                       |   |                |
|                                | 34.                   | GB                      | 2,226,958           |                                   | Femcare Limited                                 | 07/18/1990                                       |   |                |
|                                | 35.                   | WO                      | 91/08708            |                                   | Yoon  | 06/27/1991                                       |   |                |
|                                | 36.                   | DE                      | 40 15 562           |                                   | Storz   | 11/21/1991                                       |   |                |
|                                | 37.                   | EP                      | 0 916 309           |                                   | Schilder  | 05/19/1999                                       |   |                |
|                                | 38.                   | EP                      | 0 820 725           |                                   | USSC  | 01/28/1998                                       |   |                |
|                                | 39.                   | WO                      | 94/15537            |                                   | Yoon  | 07/21/1994                                       |   |                |
|                                | 40.                   | GB                      | 2,054,384           |                                   | Trewavas  | 02/18/1981                                       |   |                |
|                                | 41.                   | FR                      | 2 709 944           |                                   | Cuilleron                                       | 03/24/1995                                       |   |                |
|                                | 42.                   | EP                      | 0087941             |                                   | Ethicon   | 09/07/1983                                       |   |                |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
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U. S. G. O.

P. T. O.

U. S. P. T. O.